

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

NORTHUMBERLAND COUNTY)
RETIREMENT SYSTEM and OKLAHOMA)
LAW ENFORCEMENT RETIREMENT SYSTEM,)
Individually and On Behalf of All Others Similarly)
Situated,)
)
Plaintiffs,)
)
v.)
)
GMX RESOURCES INC., et al.,)
)
Defendants.)
_____)

Case No. CIV-11-520-D

**LEAD PLAINTIFFS' UNOPPOSED MOTION TO CERTIFY THE
SETTLEMENT CLASS FOR SETTLEMENT PURPOSES, PRELIMINARILY
APPROVE CLASS ACTION SETTLEMENT, APPROVE FORM AND MANNER
OF NOTICE AND SET DATE FOR FINAL APPROVAL HEARING**

Plaintiffs Northumberland County Retirement System and Oklahoma Law Enforcement Retirement System (collectively, "Lead Plaintiffs"), individually and on behalf of all others similarly situated, respectfully file this Unopposed Motion to Certify the Settlement Class for Settlement Purposes, Preliminarily Approve Class Action Settlement, Approve Form and Manner of Notice and Set Date for Final Approval Hearing (the "Motion"), and hereby move the Court for entry of an Order:

1. Certifying the Settlement Class for settlement purposes;
2. Preliminarily approving the Settlement of the above-captioned action;
3. Appointing Lead Plaintiffs as class representatives for the Settlement Class;

4. Appointing Nix Patterson & Roach, LLP and Kessler Topaz Meltzer & Check, LLP as class counsel for the Settlement Class;
5. Approving the form and manner of providing notice of the Settlement to the Settlement Class;
6. Appointing Strategic Claims Services as Claims Administrator;
7. Appointing Huntington National Bank as Escrow Agent; and
8. Setting a hearing date for final approval of the Settlement.

Lead Plaintiffs base this Motion on all records and files herein, including the Memorandum of Law in Support of this Motion and exhibits thereto, which are being filed concurrently herewith and are respectfully incorporated by reference as if set forth fully herein.

Accordingly, Lead Plaintiffs respectfully request this Court enter an Order granting the relief listed above and any further relief to which the Court finds the Settlement Class entitled.

A proposed Order Preliminarily Approving Settlement and Providing for Notice is attached hereto as Exhibit 1.

Date: March 25, 2014

Respectfully submitted,

/s/ Derrick L. Morton

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CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of March, 2014, the attached document was electronically transmitted to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all ECF registrants including:

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I further certify that I mailed the foregoing document and the Notice of Electronic Filing by first-class mail to the following non-CM/ECF participants: N/A

/s/ Derrick L. Morton
Derrick L. Morton